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EUR FOR DICARLO, EUR/SCE (HOH, FOOKS, STINCHCOMB); NSC FOR
BRAUN; OSD FOR BEIN

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TAGS: [PGOV](#) [PREL](#) [PINR](#) [EU](#) [BK](#)

SUBJECT: BOSNIA: COMMITTEE KILLS POLICE REFORM BILLS;
POLITICIANS LOOKING FOR PLAN B

REF: A. SARAJEVO 363

[1](#)B. SARAJEVO 506

[1](#)C. SARAJEVO 488

Classified By: POLCHIEF MICHAEL J. MURPHY, REASONS 1.4 (B) AND (D)

[1](#)1. (C) Summary: On March 20 the Joint Committee on Defense and Security gave a second negative appraisal to the two draft police reform bills mandated by the Mostar Declaration and Sarajevo Action Plan (Ref A). The draft bills, which had been returned to the committee by the House of Representatives March 18 (Ref B), failed again in a six-six vote to receive the simple majority required for a positive assessment. Even though the House of Representatives later that day voted to reject the committee assessment, the draft laws are now technically out of legislative procedure. However, proponents of the draft laws attempted to reintroduce an amended version of the draft laws under special rules for urgent procedure, but were unable to agree on which amendments to accept. Parliamentary leadership indicated they hope to take up police reform legislation again under the rules of urgent procedure in the next few weeks, likely on April 3. End Summary

A Second Negative Committee Appraisal

[1](#)2. (C) On March 19-20 the twelve-member Joint Committee on Defense and Security held a two day meeting to reconsider two draft police reform bills after the House of Representatives rejected the initial negative committee report (Ref B). In a repeat of their first vote, Party for BiH (SBiH), Alliance of Independent Social Democrats (SNSD), Croatian Democratic Union-1990 (HDZ-1990), and Croatian Democratic Union-BiH (HDZ-BiH) delegates voted for the draft laws, while Social Democratic Party (SDP), Serb Democratic Party (SDS) and Party for Democratic Action (SDA) delegates voted against (Ref C). There had been some hope that at least one of the SDS delegates would have abstained or intentionally missed the committee meeting, but both were present and voted against. The final six-six vote failed to provide the required majority for a committee endorsement.

[1](#)3. (C) Later on March 20, the House of Representatives met in its 25th session to consider the committee report. The House voted 18-22-1 to reject the committee's negative appraisal of both draft laws. Despite this, parliamentary regulations stipulate that a second negative committee appraisal

permanently removes a bill from consideration.

Now for Plan B, maybe

¶4. (C) Even before the Committee voted to reject the draft bills, proponents of the legislation started discussing "Plan B." Utilizing Parliament's urgent procedure rule (Article 127), proponents of the legislation hoped to add the four amendments that SBiH has been insisting upon, and then to introduce the bill directly to the House of Representatives for a final vote. Several observers noted that this approach would stretch the spirit of the urgent procedure rule, but only SDP raised the possibility of challenging the procedural move. After the conclusion of the 25th session, delegates were instructed to wait for 30 minutes until a new session could be convened in which the amended draft laws would be considered under urgent procedure.

¶5. (C) However, the Parliamentary leadership was unable to agree on the inclusion of four amendments (Ref A) that SBiH insisted be part of the legislation. Several delegates told us that SNSD was refusing to include the SBiH amendments. Despite a prolonged two hour debate behind closed doors, which included a conference call with SBiH President Haris Silajdzic, SNSD RS Prime Minister Milorad Dodik and High Representative Miroslav Lajcak with the Parliamentary Speakers, no agreement was reached. Instead, the Parliamentary leadership announced the issue would be postponed to a later session, likely on April 3. It is unclear at this time whether the Parliamentary leadership will agree on a final amended text or be successful in utilizing Article 127 to resuscitate the police reform bills.
ENGLISH